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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

KRISTIN K. MAYES - Chairman
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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

APR 16 2010

DOCKETED BY

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IN THE MATTER OF THE APPLICATION
OF WHITE HORSE RANCH OWNERS
ASSOCIATION, INC. FOR APPROVAL OF
A RATE INCREASE.

DOCKET NO. W-04161A-09-0471

PROCEDURAL ORDER
(Vacates Procedural Conference)

BY THE COMMISSION:

On September 30, 2009, White Horse Ranch Owners Association, Inc. ("Company" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application for an increase in its permanent rates and charges ("Application"). Concurrently with its Application, the Company filed certification that it had provided public notice of its rate Application to its customers.

On October 29, 2009, the Commission's Utilities Division ("Staff") issued a Notice of Insufficiency pursuant to A.A.C. R14-2-103.

On December 21, 2009, Staff issued a Notice of Sufficiency indicating that the Company's rate Application was sufficient, and classified the Company as a Class D utility.

On March 10, 2010, Staff filed its report recommending approval of its proposed rates and charges.

On March 19, 2010, the Company's consultant filed a response to the Staff Report and proposes several new alternatives to Applicant's initial proposal for a rate increase.

Pursuant to A.R.S. § 40-243, a public service corporation may be represented by a corporate officer, employee, or a member who is not an active member of the state bar, if (1) the corporation has specifically authorized the officer, employee, or member to represent it in the particular matter; (2) such representation is not the person's primary duty to the corporation, but is secondary or incidental to such person's duties relating to the management or operation of the corporation.

On March 26, 2010, by Procedural Order, a procedural conference was scheduled on April 19,

1 2010, to review whether a hearing should be scheduled or whether Staff and the Company would be
2 able to resolve their differences concerning the alternative proposals. Additionally, pursuant to
3 A.A.C. R14-2-103, the timeframe was suspended until further Order.

4 On April 15, 2010, Staff filed a Motion to Vacate Procedural Conference ("Motion") which
5 states that Staff will file a reply shortly to the Company's response which Staff believes will
6 eliminate the remaining disagreements between the Company and Staff. This filing should preclude
7 the need for a procedural conference and a hearing. Staff is requesting that the procedural conference
8 be vacated and only rescheduled if necessary. Staff indicates that the Company does not oppose
9 Staff's Motion.

10 Accordingly, Staff's Motion is reasonable and the procedural conference should be vacated.

11 IT IS THEREFORE ORDERED that the **procedural conference scheduled on April 19,**
12 **2010, is hereby vacated.**

13 IT IS FURTHER ORDERED that pursuant to A.A.C. R14-2-103, that the timeframe in this
14 proceeding shall remain suspended until further Order.

15 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
16 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
17 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances
18 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is
19 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
20 Administrative Law Judge or the Commission.

21 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
22 Communications) continues to apply to this proceeding and shall remain in effect until the
23 Commission's Decision in this matter is final and non-appealable.

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1 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
2 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
3 hearing.

4 DATED this 16th day of April, 2010.

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9 MARCE E. STERN
ADMINISTRATIVE LAW JUDGE

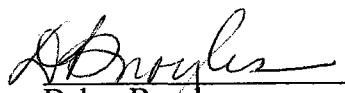
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11 Copies of the foregoing mailed/delivered
12 this 16th day of April, 2010 to:

13 Ray Jones
14 WHITE HORSE RANCH
OWNERS ASSOCIATION, INC.
15 c/o Aricor Water Solutions
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23 Phoenix, AZ 85014-1481

24 By: 
25 Debra Broyles
26 Secretary to Marc E. Stern
27
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